

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAMES PORATH, individually and on behalf of
all others similarly situated,

No. C 18-03091 WHA

Plaintiffs,

v.

LOGITECH, INC., a California corporation,


**ORDER RE MOTION
TO STAY**

Defendant.

Defendant moves to stay pending resolution of its most recent petition for writ of mandamus (Dkt. No. 43). Whether or not to issue a stay is within the district court's discretion with factors weighed on a "sliding scale," whereby the elements are balanced so that "a stronger showing of one element may offset a weaker showing of another." *Leiva-Perez v. Holder*, 640 F.3d 962, 964 (9th Cir. 2011) (quoting *Alliance for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131 (9th Cir. 2011)). For the same reasons set forth in the motion denying the motion for leave to move for reconsideration (Dkt. No. 40), this motion to stay is **DENIED**. Discovery shall proceed as scheduled.

IT IS SO ORDERED.

Dated: January 26, 2019.


WILLIAM ALSOP
UNITED STATES DISTRICT JUDGE